

Court No. - 2

Case :- CRIMINAL MISC. WRIT PETITION No. - 8303 of 2022

Petitioner :- Yahiya

Respondent :- State Of U.P. And 2 Others

Counsel for Petitioner :- Radhey Shyam Yadav

Counsel for Respondent :- G.A.

Hon'ble Suneet Kumar,J.

Hon'ble Gautam Chowdhary,J.

Supplementary affidavit file in Court today is taken on record.

Heard learned counsel for the petitioner and learned A.G.A. for the State.

The present petition has been filed seeking the following relief:-

"issue a writ, order or direction in the nature of mandamus by directing the respondent no. 2/Commissioner Kanpur Division, Kanpur to decide the Appeal No. Nil of 2022, Yahiya versus State of U.P. under Section 6 of U.P. Control of Goondas Act, pending in the court of Commissioner, Kanpur Division, Kanpur and further till the disposal of aforesaid appeal the order dated 21.05.2022 passed by Additional District Magistrate, Finance and Revenue, Farrukhabad in Case No. 00012 of 2021 (Computerized Case No. D-202103240000012) State versus Yahiya, Police Station-Jahanganj, Distrcit-Farrukhabad may kindly be stayed.

Learned A.G.A. submits that the appeal of the petitioner shall be decided in accordance with law on merit by the second respondent.

In view thereof, the second respondent is directed to consider and decide the appeal expeditiously provided if there is no legal impediment.

However, it is open to the petitioner to press the stay application before the appellate court.

Order Date :- 30.6.2022

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